

HOW TO FILE A MOTION TO WITHDRAW A PLEA OF GUILTY¹ TO CITATION

Use this form for citations issued in Court Division 1:

Minneapolis, St. Anthony, and Three Rivers Park District

1. Obtain a court date and a copy of the citation at any of the following locations:

Hennepin County Government Center Violations Bureau (skyway level) 300 S. 6 th Street Minneapolis MN 55487-0014	Brookdale Courthouse 6125 Shingle Creek Pkwy Suite 200 Brooklyn Center MN 55430	Ridgedale Courthouse 12601 Ridgedale Dr. Suite 300, 3 rd Floor Minnetonka MN 55305	Southdale Courthouse 7009 York Ave S. Suite 214, 2 nd Floor Edina MN 55435
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Hearings are set on different calendars, depending on the city:

- Minneapolis citations: Minneapolis Motion calendars at 11:00 a.m. on Tuesdays, Wednesdays, and Thursdays.
- St. Anthony citations: St. Anthony calendar at 1:30 p.m. on the first and third Thursdays of each month.
- Three Rivers Park District citations: County Attorney Calendar (COAT) at 1:30 p.m. on the fourth Thursday of each month.

2. Fill out the attached Notice of Motion and Motion to Withdraw a Plea of Guilty, then sign and date it.
3. Make two copies of the completed Notice of Motion and Motion paperwork. One copy is for you and the other copy must be served upon the prosecutor.
4. Have a third party (**NOT YOU**) who is 18 years or older, mail a copy of the papers to the other party (the prosecutor listed below, depending on where your citation was issued). They can be mailed on any day EXCEPT a legal holiday. Court Rules require FIRST CLASS MAIL only, not certified or registered mail. The person who mailed the papers to the other party must then complete a Proof of Service by Mail.

- DO NOT have the person fill out the Proof of Service by Mail until AFTER they have mailed a copy of the papers to the prosecutor.

Minneapolis Citations	St. Anthony Citations	Three Rivers Parks Citations
Minneapolis City Attorney City Hall, Room 210 350 South 5th Street Minneapolis, MN 55415	Steven Carlson St. Anthony Prosecutor Foster, Ojile, Wentzell & Brever, LLC 2855 Anthony Lane South, #201 St. Anthony, MN 55418	Office of the Hennepin County Attorney 300 South Sixth Street Floor C-2200 Suite C2168 Minneapolis MN 55487

5. File the **original** Notice of Motion and Motion paperwork, and the **original** Proof of Service at any of the locations listed in step #1.
6. **NOTE**: your case **will not** be placed on the Court's calendar until you **file** the original documents - which must be done at least seven (7) days before the court date.
7. Do not be late for your hearing, and give yourself extra time because you will have to go through weapons screening at the Hennepin County Government Center. Plan on arriving early. If you get to the courtroom even a few minutes late, your motion may be denied if your case was already called and you were not there.

¹ This statutory notice was provided at the time of your citation: Minnesota Statute §169.91, subd. 3, provides in part, that failure to appear for a petty misdemeanor will be considered a plea of guilty and a waiver of the right to trial.

County of Hennepin

vs.

Defendant

Fourth

Case Type:

Criminal

☐ Minneapolis ☐ St. Anthony ☐ Three Rivers Park

Name:

Date of Birth:

Address:

Driver's License Number:

Phone Number:

The citation number is: _____ and a copy of the paid citation is attached.

I should be allowed to withdraw my plea of guilty entered on _____ for the following reason(s):

The court hearing is set for _____, 20____, at _____ A.M./P.M., at the following location:

☐ Hennepin County Government Center / 300 S. 6th St. / Minneapolis, MN 55487

☐ Public Safety Facility / 401 S. 4th Avenue / Minneapolis, MN 55415

Date: _____

Signature

Printed name

State of Minnesota

County of Hennepin

District Court

Judicial District: Fourth

Court File Number: _____

Case Type: Criminal

Proof of Service

I, _____ (name of person who mailed the documents),
state under penalty of perjury that:

1. I am at least 18 years of age;
2. I served the attached documents (**Copy Notice of Motion and Motion to Withdraw a Plea of Guilty**) on the prosecutor checked below by placing the documents in the U.S. mail with sufficient postage and addressing it to the following address: (Check one)

<input type="checkbox"/> Minneapolis City Attorney City Hall, Room 210 350 South 5th Street Minneapolis, MN 55415	<input type="checkbox"/> Steven Carlson St. Anthony Prosecutor Foster, Ojile, Wentzell & Brever, LLC 2855 Anthony Lane South, #201 St. Anthony, MN 55418	<input type="checkbox"/> Office of the Hennepin County Attorney 300 South Sixth Street Floor C-2200 Suite C2168 Minneapolis MN 55487
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3. I am signing this document in _____ County, in the state of _____.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116

Dated: _____

Signature of person who mailed documents

Print Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____ / _____

Email: _____